

Notice of Allowability

Application No.

10/700,674

Examiner

Terrence R. Till

Applicant(s)

GREY, NICHOLAS GERALD

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The amendment filed 5/12/05.
2. ☒ The allowed claim(s) is/are 96,99-102,108-110,126-137 and 139.
3. ☒ The drawings filed on 2/20/04,2/1/05 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/450,001.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 4/26/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20050615.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with L. Carter on 6/20/05.

The application has been amended as follows:

In the specification, page 1, before "Field of the Invention", --This application is a continuation of 10/450,001, filed June 9, 2003, which is a National Stage of PCT/GB02/03309, filed July 19, 2002-- has been inserted.

The following is an examiner's statement of reasons for allowance: The prior art, including the most recent art submitted 4/26/05, does not disclose nor render obvious the claimed combination of subject matter of a surface cleaning apparatus comprising: a) a body having a forward compartment with an opening in a lower surface thereof, and a rear compartment; b) an elongate rotatable brush extending across the forward compartment, the bristles adapted to extend through the opening in the forward compartment as the brush arrangement is rotated; and c) a belt connecting an electric motor to the rotatable brush, wherein a lower front region of the body is chamfered to increase the extent to which the bristles protrude from the body in the region of the chamfer such that, when the apparatus is inclined relative to a surface to be cleaned, contact between the bristles and the surface to be cleaned is increased; and, the apparatus further comprises an intermediate compartment for collecting debris'. and a front part of the forward

Art Unit: 1744

compartment is movable to expose bristles on the elongate rotatable brush at the front part of the forward compartment. Patents to Matsushita '126 (cited in an earlier IDS) and Tokyo electric '176 (cited 4/26/05) disclose the basic configuration of the claimed cleaning device and include a movable forward compartment but lack a lower front region of the body is chamfered. The French patent to RE Enrico discloses a chamfered lower front region, but there is no motivation, absent hindsight, to modify the devices of Matsushita and Tokyo electric to have a chamfered front portion and would even destroy the teachings of Matsushita and Tokyo electric. The French patent to RE Enrico discloses a chamfered lower front region and the cover 9 is movable, but the brush 3 is driven by the ground contacting wheels 5 through a gear reduction. To modify RE Enrico to have the other features such as a belt connecting an electric motor to the rotatable brush would completely destroy the teachings of RE Enrico as RE Enrico never intended their device to be electric powered, much less have the brush belt driven by an electric motor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrence R. Till whose telephone number is (571) 272-1280. The examiner can normally be reached on Mon. through Thurs. and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sun U. Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Terrence R. Till
Primary Examiner
Art Unit 1744

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